



PATENT  
ATTY. DOCKET NO. DRP1100

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are the original, first and sole inventors (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **INTEGRATED TREE ROOT AND STORM WATER SYSTEM**, the specification of which

\_\_\_\_\_ is attached hereto.

XX was filed on January 15, 2004 (Attorney Docket No. DRP1100)

as U.S. Application Serial No. 10/759,493

and was amended on \_\_\_\_\_ if applicable (the "Application").

**We hereby authorize and request insertion of the application serial number of the Application when officially known.**

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.) (Filing Date)

\_\_\_\_\_  
(Application Serial No.) (Filing Date)

With respect to the Application, we hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
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We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED	
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

We hereby appoint the persons listed on Appendix A hereto (which is incorporated by referenced and a part of this document) as our respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

We have reviewed Title 37, Code of Federal Regulations, Section 1.56, Duty to Disclose Information Material to Patentability, attached hereto as Appendix B. We hereby authorize and request insertion of the application number of the Application when officially known.

Direct all telephone calls to:


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MICHAEL R. SHEVLIN  
GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second inventor: James Urban

Inventor's signature: 

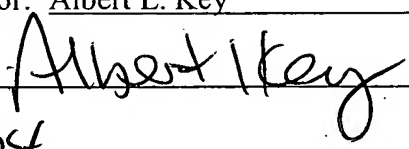
Date: 2.4.04

Residence: 915 Creek Drive, Annapolis, MD 21403

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of first inventor: Albert L. Key

Inventor's signature: 

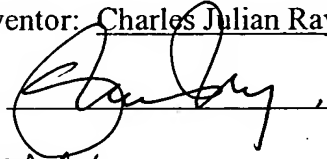
Date: 2/9/04

Residence: 8 East 96th Street, Apt 8A, New York, NY 10128

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of first inventor: Charles Julian Ray

Inventor's signature: 

Date: Feb 5, 2004

Residence: 1961 California Street, San Francisco, CA 94109

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of first inventor: Charles Graham Ray

Inventor's signature: 

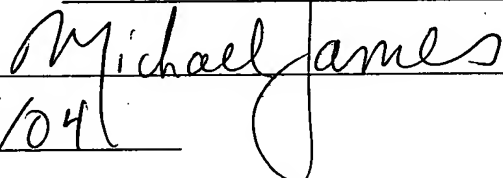
Date: February 9, 2004

Residence: 632 Belvedere Street, San Francisco, CA, 94117

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of first inventor: Michael James

Inventor's signature: 

Date: Feb 16/04

Residence: Suite 9 - 1155 Melville Street, Vancouver, BC, V6E 4C4

Citizenship: CANADA

Post Office Address: Same as above

**Appendix A**

Daryl Basham, Reg. No. 45,869; John J. Bruckner, Reg. No. 35,816; Lisa A. Haile, Reg. No. 38,347; Richard J. Imbra, Reg. No. 37,643; June M. Learn, Reg. No. 31,238; Alan A. Limbach, Reg. No. 39,749; Timothy W. Lohse, Reg. No. 35,255; Michael P. Reed, Reg. No. 45,647; Gerald T. Sekimura, Reg. No. 30,103; Michael R. Shevlin, Reg. No. 38,724; my patent attorneys, and my patent agents, of GRAY CARY WARE & FREIDENRICH LLP, with offices located at 4365 Executive Drive, Suite 1100, San Diego, California 92121-2133, telephone (858) 677-1456.